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11
12 **UNITED STATES BANKRUPTCY COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **OAKLAND DIVISION**

15
16 In re
17 MARK KESEL,
18 Debtor.

Case No. 10-41653-WLL

CHAPTER 11

Hon. William L. Lafferty

19 **SEVENTH STIPULATION TO EXTEND**
20 **DEADLINE TO DETERMINE**
21 **DISCHARGEABILITY**

[No hearing required]

1 WHEREAS on February 28, 2011, the Court's Order on Second Stipulation to
2 Extend Deadline to Determine Dischargeability was entered (Docket No. 69) (the "Second
3 Extension Order").

4 WHEREAS the Second Extension Order set a deadline of April 18, 2011 for
5 Applied Materials, Inc. ("Applied") to file an adversary proceeding to determine the
6 dischargeability of the debt arising from the judgment entered in the matter of Applied Materials,
7 Inc. v. MultiMetrixs, LLC, Mark Kesel, Boris Kesil, and Elik Gershenzon (the "Debt").

8 WHEREAS the Debtor has engaged in settlement discussions with Applied and
9 with the other judgment debtors that are liable for the Debt.

10 WHEREAS the Second Extension Order authorized the parties to further extend
11 the April 18, 2011 deadline by further stipulation without further Court order.

12 WHEREAS the undersigned parties previously stipulated to a sixth extension of
13 the deadline to November 4, 2011 (Docket No. 89).

14 WHEREAS the Debtor and Applied believe that further extending the
15 November 4, 2011 deadline will allow them to conclude settlement negotiations and pursue court
16 approval of a resolution of the parties disputes that will obviate the need to determine the
17 dischargeability of the Debt.

18 The undersigned parties, by and through their counsel have conferred, and hereby
19 agree and stipulate that:

20 1. The deadline for Applied Materials, Inc. to file a complaint to determine
21 the dischargeability of the Debt is extended to January 13, 2012, and the Debtor waives any
22 objection to untimeliness of such a complaint that is filed on or before January 13, 2012.

23 2. The deadline may be further extended by stipulation of the parties (without
24 further Court order) or by Court order.

25 3. All other rights of the parties are reserved.

1 Dated: October 21, 2011

Respectfully submitted,

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8 By: /s/ Seth Goldman
9 SETH GOLDMAN

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15 By: /s/ Judith L. Whitman
16 JUDITH L. WHITMAN

17 Attorneys for Mark Kesel

1 **CERTIFICATE OF SERVICE**

2

3 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

4

5 I am a citizen of the United States of America and employed in Los Angeles

6 County, California. I am over the age of eighteen years and not a party to the above-entitled

7 action. My business address is 355 South Grand Avenue, Suite 3500, Los Angeles, California

8 90071-1560.

9

10 On October 21, 2011 I served a true and correct copy of the following document

11 on the parties, via first class U.S. Mail, on the attached Service List:

12 **Seventh Stipulation To Extend Deadline To Determine Dischargeability**

13 ☒ (FEDERAL) I declare that I am employed in the office of an attorney admitted to

14 practice before this Court at whose direction the service was made.

15

16 I declare under penalty of perjury under the laws of the United States of America

17 that the foregoing is true and correct. This Certificate was executed on October 21, 2011 at Los

18 Angeles, California.

19

20 /s/ Michelle Simms

21 Michelle Simms

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2
3 **SERVICE LIST**

4 Debtor

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6 59 Stratford Road
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14 Attorneys for U.S. Trustee

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16 U.S. Office of the U.S. Trustee
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20 Special Notice

21 BAC HOME LOANS SERVICING, LP FKA
22 COUNTRYWIDE HOME LOANS
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